

## **REMARKS**

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-18 are pending. Claims 1-18 stand rejected. In this response, claims 1, 3-6, 8-12, 14-18 have been amended. No claims have been canceled. No new claims have been added. Thus, claims 1-18 remain pending. Support for the amendments can be found throughout the specifications as filed. No new matter has been added. Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

### **Amendments**

#### ***Amendments to the Claims***

##### ***Rejections under 35 U.S.C. § 101 Double Patenting***

###### **Claims 5, 13**

Claims 5 and 13 stand rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of Haun et al., US Patent No. 6,751,658 (hereinafter “Haun”). However, applicants respectfully submit that pending claims 5 and 13, as amended, no longer claim the same invention as in Haun. Withdrawal of the 35 U.S.C. § 101 rejection is respectfully requested.

##### ***Rejections under Nonstatutory Double Patenting***

###### **Claims 1-18**

Claims 1-18 stand rejected under nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of Haun. In response, applicants herewith submit

a terminal disclaimer over claims 1-11 of Haun to overcome the obviousness-type double patenting rejection of claims 1-18, as amended.

***Rejections under 35 U.S.C. § 102(e)***

**Claims 1-18**

Claims 1-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by Matsunami et al., US Patent No. 7,082,462 (hereinafter “Matsunami”). Applicants reserve the right to swear behind the reference at a later date. However, applicants respectfully submit that applicants’ claims 1-18, as amended, are not anticipated by the cited reference.

Specifically, for example, independent claim 1, as amended, includes the limitations:

“a network computer (NC) client booting from a boot image provided by an NC server, the boot image including information identifying the location of one or more system volumes on the NC server, the one or more user system volumes containing operating system software; and

in response to an attempt to modify the contents of the one or more system volumes, the NC client causing information identifying a modification associated with the attempt to be recorded on the NC server in a shadow system volume of a mass storage medium associated with the NC client separate from the one or more system volumes”

(emphasis added)

Applicants’ amended claim 1 includes the limitations of a shadow system volume of a mass storage medium to record information identifying a modification. It is respectfully submitted that Matsunami lacks the above noted limitations.

Rather, Matsunami discloses a Storage Subsystem connected to multiple disk-less PCs via Fibre Channel Connecting Apparatus (Matsunami, col. 3, lines 37-50, Fig. 1). Matsunami also describes multiple Logical Units in the Storage Subsystem storing programs and data utilized by the PCs (Matusnami, col. 4, lines 25-30, Fig. 3). In addition, Matsunami teaches the Storage Subsystem having Cache Memory Unit composed of DRAM and a Cache Residence Control Program in a Memory Unit to make

data temporarily reside in the Cache Memory Unit (Matsunami, col. 10, lines 15-22, Fig. 7). Thus, the Cache Memory Unit in Matsunami is not a mass storage medium. According to Matsunami, when a Processor in the Storage Subsystem accepts a write request from a PC, it reports the PC that the write processing is completed without accessing disk unit when write data is stored in the Cache Memory Unit. The write data is written back to a Logical Unit asynchronously with the processing of the write access (Matusnami, col. 10, lines 28-35). However, Matsunami is completely silent about a shadow system volume of a mass storage medium to record information identifying a modification.

In order to anticipate a claim, each and every limitation of the claim must be taught by the cited reference. It is respectfully submitted that Matsunami fails to disclose the limitations set forth above. Therefore, it is respectfully submitted that independent claim 1, as amended, is not anticipated by Matsunami.

Independent claims 6, 8, 9, 10, 15, and 18, as amended, include similar limitations as noted above. Therefore, for at least the similar reasons as discussed above, it is respectfully submitted that claims 6, 8, 9, 10, 15 and 18, as amended, are not anticipated by Matsunami.

Given that claims 2-5, 7, 11-14 and 16-17, as amended, depend from and include all limitations of one of independent claims 1, 6, 8, 9, 10 and 15, as amended, applicants respectfully submits that claims 2-5, 7, 11-14 and 16-17, as amended, are not anticipated by Matsunami.

**CONCLUSION**

In view of the foregoing, applicants respectfully submit the applicable rejections and objections have been overcome. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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